

1 **BEFORE THE ARIZONA STATE BOARD OF**
2 **OSTEOPATHIC EXAMINERS**
3 **IN MEDICINE AND SURGERY**

4
5 In the Matter of:)
6 JAMES P. CORRIGAN, D.O.)
7 Holder of License No. ~~2664~~ 2644)
8 For the practice of osteopathic)
 medicine in the State of Arizona)

STIPULATION FOR CONSENT ORDER;
NOS. 1885, 1886 & 1887

9 **STIPULATION**

10 By mutual agreement and understanding, the Arizona State Board of Osteopathic
11 Examiners in Medicine and Surgery ("Board") and James P. Corrigan, D.O. (hereinafter
12 "Respondent"), the parties hereto agree to the following disposition of this matter.

13 1. Respondent acknowledges that he has read this Stipulation and the attached
14 Stipulated Consent Order; and, Respondent is aware of and understands the content of these
15 document.

16 2. Respondent understands that by entering into this Stipulation, he voluntarily
17 relinquishes any rights to hearing on the matters alleged as ground for Board action or to seek
18 judicial review of the consent order in state or federal court.

19 3. Respondent understands that this Stipulation and Order will not become effective
20 un less approved by this Board and signed by its Executive Director.

21 4. Respondent further understands that this Stipulation and Consent Order, once
22 approved and signed, shall constitute a public record which may be disseminated as a formal
23 action of the Board.

24 5. Respondent admits to the facts and consents to all the terms contained in the
25 Stipulated Order.

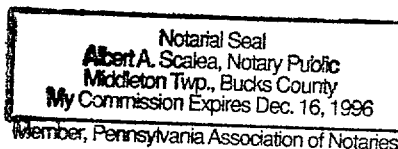
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6. Respondent acknowledges and agrees that upon signing and returning this document to the Board, he may not later revoke or amend this Stipulation or the attached Consent Order, without Board approval.

IT IS HEREBY STIPULATED AND AGREED that any violation of said Board Order constitutes unprofessional conduct as defined in A.R.S. § 32-1855.

REVIEWED AND ACCEPTED this ____ day of July, 1996.

State of Pennsylvania)
County of BUCKS) ss.



This instrument was acknowledged before me this 15 day of JULY, 1996, by the above-named individual.

Albert A. Scalea
NOTARY PUBLIC

My Commission Expires:

Reviewed and approved as to form
by counsel for Respondent:

Thea F. Silverstein
Thea F. Silverstein
Attorney at Law
One Arizona Center
Phoenix, Arizona 85004-0001

REVIEWED AND SIGNED this 25th day of July, 1996, for the Board by:

Ann Marie Berger
ANN MARIE BERGER
Executive Director

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1 **BEFORE THE ARIZONA STATE BOARD OF**
2 **OSTEOPATHIC EXAMINERS**
3 **IN MEDICINE AND SURGERY**
4 **FOR THE STATE OF ARIZONA**

5 In the Matter of:)
6 JAMES P. CORRIGAN, D.O.)
7 Holder of License No. 2664)
8 For the practice of medicine as)
an osteopathic physician in the)
State of Arizona)
9 _____

Board Case Nos. 1885, 1886 & 1887

**STIPULATED FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
CONSENT ORDER**

10 This matter came for hearing on June 26, 1996, before the Arizona Board of Osteopathic
11 Examiners in Medicine and Surgery (hereafter, "Board"), to consider the formal complaint issued
12 against James P. Corrigan, D.O. (hereafter, "Respondent"), at which time the Respondent was
13 represented by Thea F. Silverstein, Attorney, and the State was represented by Michael Harrison,
14 Assistant Attorney General, and appearing as legal advisor to the Board was Diane Huckleberry,
15 Assistant Attorney General, Solicitor General's Section, Office of the Arizona Attorney General.
16 Pursuant to the stipulation of the Respondent and the Board, the following findings of fact,
17 conclusions of law and order are issued in this matter.

18 **FINDINGS OF FACT**

- 19 1. A formal complaint was issued against the Respondent alleging that he had
20 engaged in acts of unprofessional conduct as set forth more specifically in said complaint; and
21 Respondent with legal counsel appeared before the Board on June 26, 1996 at the location set for
22 hearing, and, the Board proceeded in this matter pursuant to its statutory authority to conduct
23 formal complaint administrative hearings against a licensee of the Board.
- 24 2. Pursuant to stipulation by Respondent and his counsel and the attorney for the
25 State, it was mutually agreed to vacate the formal complaint proceedings scheduled in this matter
26 and to instead proceed with consideration of the matter as an informal interview hearing, pursuant

1 to the Board's statutory authority at A.R.S. § 32-1855(E), whereupon the Board heard the
2 testimony of witnesses and the argument of counsel in this matter.

3 3. After deliberation and discussion, Respondent with legal counsel and the attorney
4 for the State agreed to submit to the Board a stipulated order placing Dr. Corrigan on probationary
5 status, pursuant to terms and conditions set forth more specifically hereafter, but without
6 expressly finding that Respondent has engaged in any acts of unprofessional conduct.

7 4. After discussion and deliberation, the Board voted on June 26, 1996, during its
8 public meeting and informal interview hearing with Respondent to authorize issuance of a
9 probationary order for final disposition of this matter.

10 CONCLUSIONS OF LAW

11 1. The Arizona State Board of Osteopathic Examiners in Medicine and Surgery has
12 jurisdiction over the person and subject matter presented, pursuant to A.R.S. § 32-1800, et seq.

13 2. The Board has the authority to enter into an agreement for the stipulated
14 disposition of this matter, pursuant to A.R.S. § 41-1061(D) and § 32-1855(E).

15 CONSENT ORDER

16 Pursuant to the authority vested in the Board by statute, **IT IS HEREBY ORDERED** that
17 Respondent is placed on probation and shall comply with the following terms of probation:

18 1. Respondent shall prepare an inventory list of all patient files in alphabetical
19 sequence that are in his possession or subject to his control that were originally opened by him or
20 received as a result of referral to him, pursuant to medical provider service contract with Mercy
21 Care Plan and Phoenix Health Plan. The inventory list shall segregate patient names and files
22 according to the aforementioned health care provider plan to which the patient was affiliated, so
23 that two separate inventory lists are prepared by Respondent. The files of patients maintained by
24 Respondent who were not participants in the Mercy Care Plan and Phoenix Health Plan are not
25 subject to this inventory requirement.

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1 2. The aforementioned inventory shall be prepared and completed within ten (10)
2 business days from the effective date of this order; and, thereafter the Respondent shall deliver at
3 his expense a copy of the patient files and the inventory list to the appropriate health care plan and
4 to the attention of the following individuals:

5 A. Nancy Novick, Executive Director
6 Phoenix Health Plan
7 2700 N. Third Street, Suite 3000
8 Phoenix, Arizona 85004

9 B. Lillian Iniguez-Garcia
10 Provider Services Representative
11 Mercy Care Plan
12 2800 N. Central Avenue, Suite 400
13 Phoenix, Arizona 85004

14 3. Respondent shall, at the same time he is complying with the requirements set forth
15 at paragraph 2, herein, also send a copy of the two inventory lists with cover letter to the attention
16 of the State's attorney in this matter, i.e., Michael N. Harrison, Assistant Attorney General, Office
17 of Arizona Attorney General, 1275 W. Washington, Phoenix, Arizona 85007.

18 4. The administrators for the aforementioned health plans shall receive a copy of this
19 order; and, the health plan administrators are requested to confirm the accuracy of the inventory
20 lists provided by Respondent and to confirm receipt of corresponding patient files listed in the
21 inventory list. The health plan administrators are requested to provide confirmation of receipt of
22 the patient files and inventory lists by sending a letter to the Board's Executive Director, Ann
23 Marie Berger, with a copy to the aforementioned attorney for the State, within ten (10) business
24 days of receiving the patient files or as soon thereafter as possible. In the event that the health
25 plan administrators find any discrepancy between the itemized list of patient files and the actual
26 files produced, it is requested that they report by letter to the State's attorney with specificity the
nature of the discrepancy.

 5. In the event that the health care plan administrators assert that they did not receive
patient files from Respondent for individuals for whom the health plan administrative records

1 Michael N. Harrison, Esq.
Assistant Attorney General
2 Office of the Arizona Attorney General (Inter-Agency Mail)

3 Lillian Iniguez-Garcia
Provider Services Representative
4 Mercy Care Plan
2800 N. Central Avenue, Suite 400
5 Phoenix, Arizona 85004

6 Nancy Novick, Executive Director
Phoenix Health Plan
7 2700 N. Third Street, Suite 3000
Phoenix, Arizona 85004
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10 By: Karen L. Pulley
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